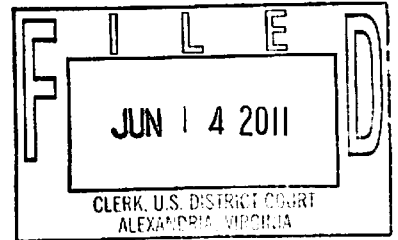


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division



WINKAL HOLDINGS, LLC,
WINKAL MANAGEMENT, LLC,
WIN PROPERTIES, INC.

Plaintiffs,

v.

AMERICAN SAFETY RISK RETENTION
GROUP, INC.

Defendant.

Case No: 1:11cv639 GBL/JFA

AMERICAN SAFETY RISK RETENTION GROUP, INC.'S
NOTICE OF REMOVAL OF CIVIL ACTION

Defendant, American Safety Risk Retention Group, Inc. ("ASRRG"), pursuant to 28 U.S.C. §§ 1441 and 1446, files this Notice of Removal of Civil Action to remove this action from the Circuit Court of the County of Fairfax to this Court on the following grounds:

STATE COURT PLEADINGS

1. On or about May 17, 2011, Winkal Holdings, LLC, Winkal Management, LLC, and Win Properties, Inc. (collectively, "Plaintiffs") filed a Complaint against ASRRG in the Circuit Court of the County of Fairfax ("Circuit Court"). The Complaint generally alleges that ASRRG breached a contract of environmental liability insurance issued to Cadenas, LLC and on which the Plaintiffs are listed as additional insureds.

2. In accordance with 28 U.S.C. § 1446(a), a copy of the summons and Complaint served on ASRRG and filed with the Circuit Court in Case No. CL2011-0007290 are attached collectively as Exhibit A. A copy of the responsive pleadings filed in Circuit Court on behalf of ASRRG is attached as Exhibit B.

CITIZENSHIP OF THE PARTIES

3. Winkal Holdings, LLC is a Delaware limited liability company with its principal place of business in Rye Brook, New York. Upon information and belief, the members of Winkal Holdings, LLC include Winkal Management, LLC and/or Jonathan Kallman and/or Irwin Kallman. Upon information and belief, Jonathan Kallman and Irwin Kallman are residents of New York.

4. Winkal Management, LLC is a Delaware limited liability company with its principal place of business in Rye Brook, New York. Upon information and belief, the members of Winkal Management, LLC are Jonathan Kallman and Irwin Kallman, both of whom are residents of New York.

5. ASRRG is incorporated under the laws of Vermont and maintains its headquarters and principal place of business in Atlanta, Georgia.

SERVICE OF PROCESS

6. On or about May 24, 2011, ASRRG received formal service of the Plaintiff's Complaint and summons through its registered agent in Virginia. A copy of the Service of Process Transmittal from ASRRG's registered agent regarding service of process is attached as Exhibit C.

BASIS FOR REMOVAL

7. Pursuant to 28 U.S.C. § 1446(b), ASRRG is filing this Notice of Removal within thirty days of its receipt of service of Plaintiff's Complaint.

8. This Court has original jurisdiction over this claim pursuant to 28 U.S.C. § 1332(a)(1) in that the amount in controversy exceeds \$75,000.00 and there is complete diversity of citizenship between the parties.

9. Removal of this action is proper pursuant to 28 U.S.C. § 1441(a) and (b).

10. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(a).

WHEREFORE, defendant, ASRRG, by counsel, hereby gives notice pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1446 of the removal of this action from the Circuit Court of the County of Fairfax, Virginia.

AMERICAN SAFETY RISK RETENTION
GROUP, INC.

By: 
Of Counsel

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CERTIFICATE OF SERVICE

I hereby acknowledge that on this 13th day of June, 2011, a copy of the foregoing Notice of Removal was mailed, first-class, postage prepaid to:

Steven W. Bancroft, Esq.
Bancroft, McGavin, Horvath & Judkins, P.C.
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Fairfax, Virginia 22030-2514
703-385-1000
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Counsel for Winkal Holdings, LLC, Winkal Management, LLC and Win Properties, Inc.



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